

(1949) Department

SERIES.

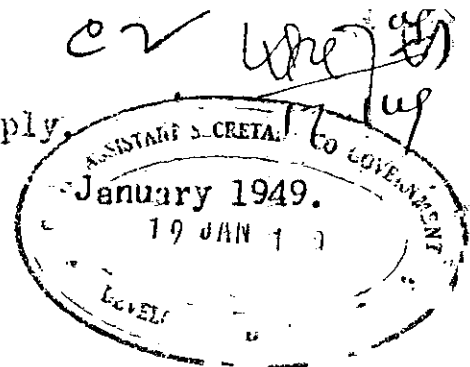
G.O. NO 611

Dated 8.2.49

[Despatch Abstract.]

Scots Forests Timber Supply to
Govt of India O.S. No 3/1948 on the file
of the Sub-Judge, South Kanara Pay
of fees to Govt Pleader Mangalore
Sanctioned.

No. FII-112(23)/48.
Government of India.
Ministry of Industry and Supply.
New Delhi, the 8/12



To
The Deputy Accountant General,
Industries and Supplies,
New Delhi.

.Subject:- Suit No.OS.3/1948, on the file of the Sub-Judge,
South Kanara, between M/s. The Kanara Timbers Ltd.
and Central Government.

Sir,

I am directed to refer to your letter No.EADII/EAC.5(1)/B-1312, dated 28.10.1948, and to state that it has since been decided that expenditure on legal charges should be debited to the Contingent Account of the Purchase Organisation concerned which, in this case, is the D.G., (I. & S.). Orders to this effect were issued vide this Ministry's Office Memo. No.P.II.150(16), dated 15.11.1948. In view of this, it is considered that the adjustments should appropriately be made in your books.

2. As the Government Pleader at Mangalore, to whom payment will eventually be made for the conduct of the case, is an Officer of the Madras Government, the expenditure will initially be incurred by the Government of Madras after necessary checking through their Legal Remembrancer and then debited to the Government of India.

Yours faithfully,

(SHIV DEV SINGH)
Assistant Secretary to the Govt. of India.

Copy to:-

Directorate General, Industries and Supplies, with reference to their U.O. Directorate Dy.No.13(B.Call), dated 11/13.12.48.

The Secretary to the Govt. of Madras, Development Department, Madras, with reference to the Government of India, Ministry of Industry and Supply letter No.FII-112(23)/48, dated 9.10.48. A copy of the letter to which it is a reply is enclosed.

B3 below

Sajwan)


(SHIV DEV SINGH)
Assistant Secretary to the Govt. of India.

Copy of letter ~~xxxxx~~ No.EADII/EAC.5(1)/B.1312, dated the 28th October, 1948, from the Office of the Deputy Accountant General Industries and Supplies, New Delhi, to the Assistant Secretary, to the Govt. of India, Ministry of Industry and Supply, New Delhi.

Subject:- Suit No.CS.3/1948 on the file of the sub Judge Kanara, between M/s. The Kanara Timbers Ltd., and Central Government.

I have the honour to invite a reference to your letter No.P.II.112(23)/48, dated 9 October, 48, addressed to the Development Department, Madras and to request that this Office may please be informed of the head of account to which the expenditure in question is debitable.

It is also presumed that the expenditure is adjustable on the books of the D.A.G:I.& S. Bombay and the letter is meant for the office.

This may please be confirmed.

Directorate General of Industries & Supplies
Timber Directorate

No. TM/Misc/D;Cell.
NEW DELHI, 20th January 1949.

The Secretary to the Government of Madras,
Development Department,
Fort St. George,
MADRAS.

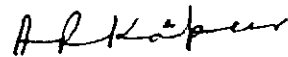
Sub:- O.S. No. 3 of 1948 on the file of the
Sub Judge, South Kanara, between M/s. Kanara
Timbers Ltd. and Central Government -
payment of fees of government Pleader,
Mangalore and his junior.

Sir,

I am directed to refer to the Government of India, Ministry of Industry and Supply letter No. P-II-112(23)/48 dated 8th January 1949 addressed to the Deputy Accountant General, Industries & Supplies, New Delhi and copy endorsed to you and to forward herewith a bill for the Government Pleader, Mangalore for Rs. 1563/5/4 in original, for payment.

2. A copy of letter No. 1106/1948 dated 30th November 1948 from the Government Pleader, Mangalore showing the break-up of the fee of Rs. 1563/5/4 together with a copy of letter No. 101857 F/48-3 dated 31st December 1948 from the Government of Madras, Home Department to this Directorate General, is also forwarded herewith for your information.

Yours faithfully,



(A.R. Kapur)
Director, Administration & Coordination.
for Director General Industries &
Supplies.

copy forwarded for information to the Govt. Pleader, Mangalore, with ref. to his letter No. 1106/1948 dated 30th November 1948. Future bills in connection with the above-mentioned case may please be submitted to the Govt. of Madras, Development Department for payment initially.

HEGDE, M.A., B.L.,

ADVOCATE,

GOVERNMENT PLEADER,

PUBLIC PROSECUTOR S. K.

MANGALORE,

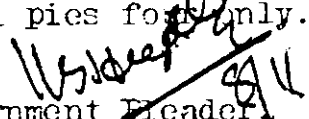
Date 7th Novem. 1948

Bill of costs in O.S.No.3/ 1948 on the
file of the Sub Court of S.K. Between:
The Kanara Timbers Ltd. Udipi.Plff &
Governor General in Council represented
by the Secretary to Central Government
New Delhi and another. Defts.

Advocate's fees (A) Senior Rs.1172.8.0.
fees (B) Junior Rs. 390.13.4

Total Rs.1563 5. 4.

Total Rupees One thousand five hundred and sixty
three and annas five and pies four only.)


Government Pleader.

Copy of letter dated 30th November, 1948 from Sri K.S. Hegde, M.A. B.L., Govt. Pleader, Mangalore, to The Director General of Industries & Supplies, Timber Directorate, New Delhi.

Ref:- O.S. No. 3/1948 on the file of the Subordinate Judge of South Kanara Mangalore- Between The Kanara Timbers Ltd., and Central Govt. Your letter reference 22nd November, 1948 and enclosure

I have received the draft written statement signed by the Forest Utilisation Officer. But I have already filed the previous statement signed by the Directorate General of Industries & Supplies on behalf of both the defendants. Hence it is not necessary to file any additional written statement, as there is no conflict of interest between the first and second defendant. It is not necessary to file a separate statement.

As regards the bill of costs the same is levied according to rules framed by the Madras High Court under the Legal Practitioner's Act, under Rule 31 of the said Act as amended in 1947 in "Court subordinate to the High Court in suits for money, effects or other personal property or for land or other immoveable property of any description fees to legal practitioner should be payable on the following scale".... Original suits (1) if the amount or value of the claim does not exceed Rs. 5,000/- at 7% subject to a minimum of Rs. 25-0-0.

(2) If the amount or value exceeds Rs. 5,000/- but does not exceed Rs. 10,000/- on Rs. 5,000/- as above and on the remainder at 5%.

(3) If the amount or value exceeds Rs. 10,000/- but does not exceed Rs. 20,000/- on Rs. 10,000/- as above and on the remainder at 4%.

(4) If the amount or value exceeds Rs. 20,000/- but does not exceed Rs. 50,000/- on Rs. 20,000/- as above and on the remainder 2% etc--- etc.....

Under Rule 33 of the said Rules where the amount of value of the claim in a suit or an appeal exceeds Rs. 10,000/- an additional fee calculated at 1/3rd the fee allowable under Rule 31 above shall be payable to a junior practitioner engaged with a senior practitioner, provided that the junior was on records from at least the date of the settlement of issues in a suit or from the date fixed for the appearance of the respondent in an appeal.

As intimated to you in my previous letter date 7th November 1948 I have been authorised by the Development Department as per G.O. No. Ms. 4609 dated 9th September 1948 and Ref: No. 16544/48-E dated 3.9.48 to engage a junior in the above case. The Junior was on record even before the framing of the issues.

Details of the bill of costs.

~~The plaint claim is~~ Rs. 28,627- 14- 3.

(1) on the first Rs. 5,000/- at 7%.

Rs. 350- 0- 0

(2) The next Rs. 5,000/- @ 7%

Rs. 250- 0- 0

(3) On the next Rs. 10,000/- at 4%.

Rs. 400- 0- 0

(4) On the remaining Rs. 8,627.14.3... Rs. 172- 8- 0

Rs. 1172- 8- 0

Rs. 390- 13- 0

1/3rd Junior fees.

Total:

Rs. 1,563- 5- 4

Sd/-

Copy of letter No.101857F/48-3 dt. 31st December, 1948 from
O.Pulla Reddi, Esq., I.C.S., Secretary to Government/- to The
Director General Industries & Supplies, D.G.I.&S., New Delhi.

LAW OFFICERS - Mufassal- South Kanara district
Government Pleader. Mangalore and his Junior -
O.S. No.3 of 1948 on the file of the sub Judge,
South Kanara - Payment of fee.

Ref: Mr. Ch. M.A. Khan's letter No. TM/Misc/D. Cell
dated 23rd November, 1948.

I am directed to say that the fees amounting to Rs.1563/5/4
(Rupees one thousand five hundred and sixty three, annas five
and pies four) claimed by the Govt. pleader, Mangalore, for his
services and that of his Junior in connection with O.S.No.3/48
on the file of the Sub Judge, South Kanara Legal-Practitioners-
~~Act~~- are according to the scales prescribed in the rules under
the Legal Practitioners Act and are in order.

As regards the necessity for the engagement of a junior
counsel in this case, I am to say that in exceptional cases
Government Pleaders are allowed the assistance of a Junior by
the Government. The Government Pleader, Mangalore was permitted
to engage a junior to assist him in the conduct of this case on
the recommendation of the Chief Conservator of Forests, Madras-
vide letter No.92900-C.II/48-6, Development, dated 9th September
1948 and under the Legal Practitioners Fees rules he is entitled
to one third of the fee allowable to the Government Pleader.

Yours faithfully,

Sd/-
for Secretary to Government.

P/Indus
81
9/2
gain

Sub: suits - Forests - Timber supply to govt of India - O.S. No 3/1948 on the file of sub.sua South Kanara - Payment of fees to govt Pleads Mangalore - Sanctioned.

p 11 of (K)

p 35 of

Read again (i) G.O. Ms 4609 Dated 9.9.48

(K)

(ii) From the govt of India,

Ministry of Industry & Supply No PII-112(23)/48
Dated 9.10.48

p 1 of

Read also

(iii) From the govt of India,

Ministry of Industry & Supply No PII-112(23)/48
dated 8.1.49 addressed to Dy Accountant G.L.
Industries & Supplies New Delhi

p 5 of

(iv) From the Director G.L. of Industries & Supplies No TH/Misc/D. cell 20-1-1949

G.O. Ms 611 - Dated 8.2.49

7 of

Sanction is accorded to the payment of Rs 1563-5-4 (Rupees One thousand Five hundred and Sixty three annas five and pies

(P.T.O)

1 FEB 1949
HOME DEPARTMENT

on account of the sanction

para 2 on p 18

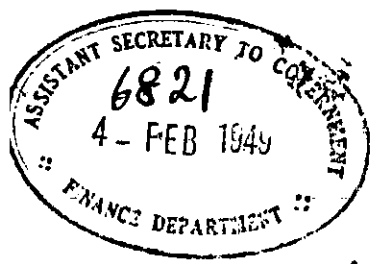
31/1/22

② M p l f
To the C.C.T.
To the Govt. Messrs.
Messrs. ~~South~~ ~~Kanara~~
To the Coll. of S.K.
Copy to A.G. thro'
Finance Dept
[with copy of p 1 - 11 f
+ copy of p 11 + 35 cl
(K)]

3/1/12 Jms

Please see the letter from the Govt. of India and the ^{Joint} ~~Ex~~ Govt. of Industries and Supplies and the encls. at pp. 1-11 c.F. With reference to it in para 2 of the Govt. of India letter on p. 1 c.F., it may be mentioned that the Dy. Genl. Timber Directorate asked this Govt. specifically whether the fees claimed by the G.P. Managalore for his services and that of his Junior in connection with G.O. No. 2/48 on the file of the Sub Judge, South Kanara ^{was} ~~are~~ in order. This Dept. informed him that the fees claimed by the G.P. ^{the case was seen by Secy.} were in order. - vide copy of this Dept's letter at p. 11 c.F.

2. The draft order on pp. 1-2 ante may be accepted subject to the alterations made in pencil and the case ~~may be~~ passed on to Fin.



200 NO. 8/69P/49-1
4-2-49

28/2/49
2/2/49
6.2.49

Handwritten signature/initials

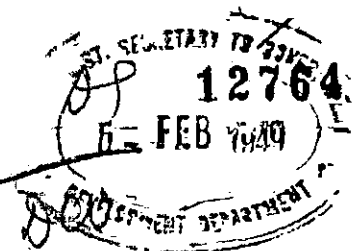
Finance (Pen)

The draft ~~as amended~~ ^{by Home} ~~for pp 1-2 above~~
may be accepted subject to the modification
& indicated in pencil by Home, and the Can
249 ~~can~~ returned to 'Dev

ms
4.2.49

P
12

Dev Dept



A.S.

Fin 00-6821 Rev

The draft order as amended by
pp 1-2 above may now issue

sp ¹⁴⁹
7.2.49.

W
8.2.49

[Inv as 80th 1611 dev 2 - 8.2.49] pp 15-147

Ref. No. 1560/1950.

Specially urgent.

OFFICE OF THE GOVERNMENT PLEADER.

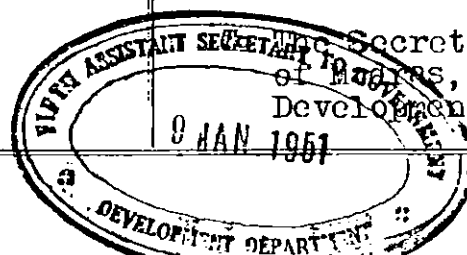
SOUTH KANARA

From:

2nd Jan.

Mangalore 1950

SRI K. S. HEGDE. M.A., B.L.
GOVERNMENT PLEADER



Secretary to Government
of Madras,
Development Department, Madras.

S i r,

Sub: O.S.No.3/1948 on the file of the Sub Judge of S.K. Suit filed by the Kanara Timbers Ltd. Court costs incurred by the Government Pleader of S.K. Court verification certificate forwarded-Payment requested. Your reference Memorandum No.19126.CII/49-2 dated 7th March 1949.

-Hr 3-9 belm

I am forwarding herewith four court verification certificate for Rs.8.8.0; 0-12-0; 3-15-0; and Rs.103-10.6 in the above O.S.No.3/1948 on the file of the Sub Judge of S.K. The total amount of Rs. 108-13-6 in the above case may be kindly be sent to me at an early date. Please treat the matter as urgent.

Enclosure: Four court verification certificates in all for Rs. 108-13-6. Hr 3-9 belm

Government Pleader of S.K.

$$\begin{array}{r}
 6 \quad 8 \quad 2 \\
 0 \quad 12 \quad 2 \\
 3 \quad 5 \quad 0 \\
 \hline
 5 \quad 3 \quad 0
 \end{array}$$

$$\begin{array}{r}
 2 \quad 74.6 \\
 5 \quad 22 \quad 8 \\
 \hline
 103 \\
 \hline
 108 \quad 15
 \end{array}$$

Sut Court of S. D. 3/68

Bill of costs incurred by Government Pleader, Mangalore in connexion with

(RUP) No. 3 of 1948, on the file of the District Munsif Sub Judge of S. D.

8996

Serial No.	Date	Particulars of Costs.	Amount	Remarks
			Rs. A P.	
	12.12.48	Stamp for filing CA No. 9337 in S.D. 3/68 of Sub Court of S. D. for C.C. of Police	0 2 0	
	9.12.48	Stamp paper produced in S.D. 3/68 of Sub Court of S. D. as per CA. 9337	0 7 0	
			0 9 0	
3	21.12.48	Received by refund of Stamp paper from Court in S.D. 3/68 of Sub Court as per CA 9337	0 0 0	
		Total	0 8 0	

Mangalore
Date 22.12.48.

Gammur
Gammur

13 COURT,

24 JUL 1949

24 JUL 1949

VERIFICATION CERTIFICATE

I hereby certify that items of debits and credits No. marked thus x in red ink in the foregoing bill for contingent charges of the Government Pleader, Mangalore, for the month of December 1948, have been checked with and a note made in the books and records of my Office, that the amounts of the said items are correct and that no previous certificate was granted in respect of them. The amount due to the said Government Pleader, having regard to the items of credits and debits mentioned above, is Rs. 0-8-0 Eight Annas. ~~This amount includes~~ Rs. being the refunds of stamps due to the said Government Pleader on account of unspent process-fees or for stamps deposited in excess of the requirements for which a certificate will be granted to him on application.

Dated this

5th

day of

January 1949.

Devaraswami

District Judge.

Subordinate Judge.

District Munsif.

M. N. S. S. S.

Pr 1. Sub Court C.S.No.3/
 Bill of costs incurred by Government Pleader, Mangalore in connexion with
 of 194 , on the file of the District Munsif/ Sub Judge of

8997

Serial No.	Date	Particulars of Costs.	Amount			Remarks
			Rs.	A.	P.	
1.	17.1.1949.	Stamp for filing petition for # adjournment of the suit O.S. No.3/ 1948 of the file of the Pr 1. Sub court of S.K.				
			0-	12-	0-	X
	Mangalore Dated 18.					Government Pleader Pr 1 S.K.

VERIFICATION CERTIFICATE

I hereby certify that items of debits and credits Nos. marked thus × in red ink in the foregoing bill for contingent charges of the Government Pleader, Mangalore, for the month of February 1949 have been checked with and a note made in the books and records of my Office, that the amounts of the said items are correct and that no previous certificate was granted in respect of them. The amount due to the said Government Pleader, having regard to the items of credits and debits mentioned above, is Rs. 0-12-0 (Twelve annas) This amount includes Rs. being the refunds of stamps due to the said Government Pleader on account of unspent process-fees or for stamps deposited in excess of the requirements for which a certificate will be granted to him on application.

Dated this 22nd day of February 1949.

[Signature]
District Judge.
[Signature]
Subordinate Judge.
[Signature]
District Munsif.

Pr1. Sub Court O.S.No.3 1948 on the file of the Sub Court of S.

Bill of costs incurred by Government Pleader, Mangalore in connexion with

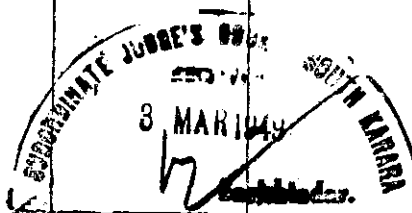
S. No. 3 of 1948, on the file of the District Munsif/ Sub Judge of S.K.

T. & A. B. H.

Serial No.	Date	Particulars of Costs	8998			Amount	Remarks
						Rs. A P.	
1.	1.3.49.	Stamp for filing witness batta in in Sub Court O.S.No.3/ 1948 with cash for summoning the witness and	2- 7- 0			X	
2.	1.3.49.	Stamp for filing list of documents filed in O.S.No.3/ 1948 on the file of the Sub Court of S.K. (Rs. A 358/49)	1- 8- 0			X	
Total			Rs. 3- 15- 0.				

Mangalore)
Dated 3.3.1949.)

Government Pleader of S.K.



VERIFICATION CERTIFICATE

I hereby certify that items of debits and credits Nos. marked thus x in red ink in the foregoing bill for contingent charges of the Government Pleader, Mangalore, for the month of February 1949, have been checked with and a note made in the books and records of my Office, that the amounts of the said items are correct and that no previous certificate was granted in respect of them. The amount due to the said Government Pleader, having regard to the items of credits and debits mentioned above, is Rs. 3-15-0 *(This is the sum of Rs. 3-15-0 only)*. This amount includes Rs. ~~being the refunds of stamps due to the said Government Pleader on account of unspent process fees or for stamps deposited in excess of the requirements for which a certificate will be granted to him on application.~~

Dated this 11th day of March 1949

[Signature]
Principal District Judge.
Subordinate Judge.
District-Munsif.

Prl. Sub Court of S.K. O.S.No.3/ 1948.

Bill of costs incurred by Government Pleader, Mangalore in connexion with *gas*

O.S. No. 3 of 1948 on the file of the District Munsif Sub Judge of S.K.

T. & A. 84-B.

8000

Serial No.	Date	Particulars of Costs.	Amount			Remarks
			Rs.	A.	P.	
X 1.	25.6.49.	Stamp for filing witness batta in O.S.No.3/ 1948 on the file of the Sub Court of S.K. with allowance to witness.	Rs.13	3	0	✓ <i>Rs 11/- mfd</i>
X 2.	19.7.1949.	Stamp for filing witness batta in O.S.No.3/48 on the file of the Sub Court of S.K. with allowance	Rs.12	7	0	✓ <i>57 10</i>
X 3.	10.8.49.	Memo by the witness claiming the amount in O.S.No.3/48 of Sub Court of S.K.	Rs.31	10	6	✓ <i>57.4.6 (10) ...</i>
X 4.	5.7.49.	Received by refund of cash witness batta from court in O.S. No.3/ 48 on the file of the sub Court (See item No.1.)	Rs.11	0	0	
X 5.	17.8.49.	Stamp for filing witness batta in O.S.No.3/48 on the file of the Sub Court of S.K. with allowance.	Rs.44	2	0	
X 6.	9.9.49.	Stamp for filing advancement petition and out of order in O.S.No.3/48 on the file of the Sub Court of S.K.	Rs.1	8	0	
X 7.	19.9.49.	Stamp for filing list of docts in O.S.No.3/48 on the file of Sub Ct.	0	0	12	

Total Rs. 103- 10-6. *112/dec 61*
Gr. P. B. of S

RIFICATION CERTIFICATE

I hereby certify that items of debits ~~and credits~~ Nos. 1 to 3 and 5 to 7 + credit No 4 marked thus x in red ink in the foregoing bill for contingent charges of the Government Pleader, Mangalore, for the months of *June, July, August and September, 1949*, have been checked with and a note made in the books and records of my Office, that the amounts of the said items are correct and that no previous certificate was granted in respect of them. The amount due to the said Government Pleader, having regard to the items of ~~credits and~~ *credits and* debits mentioned above, is Rs. *103-10-6* *less Rs 11/- re. item No 4* (This amount includes ~~Rs. _____ being the refunds of stamps due to the said Government Pleader on account of unspent process fees or for stamps deposited in excess of the requirements for which a certificate will be granted to him on application.~~)

Dated this *10th* day of *November* ~~(October)~~

1010 No. 3152/50

District Judge.

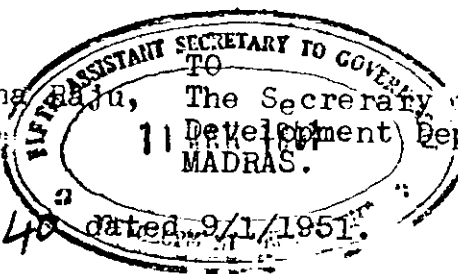
Subordinate Judge.

District Munsif.

6-11-50

FROM

Sri P. Satyanarayana Raju, The Secretary to Government,
Government Pleader,
MADRAS.



429

No. 40 dated 9/1/1951.

4554 C/S

Sir,

Sub: Suits- Forest Department- South Kanara
Division- Timber supplied by Messrs. Kanara
Timbers Limited- High Court Appeal No.
448/50.

Ref: Govt.Memo.No.103221 C.II/50-2 dated 14/10/1950.

The appeal is not yet ready for hearing and is
pending.

P. Satyanarayana Raju
Government Pleader.

Rem with memo
encl,
8/2/51
Pl put
up end 1
DND W.E
9CH
1212

Development Department

Letter No 3247 C.II/50-2 dated 8.2.51

To

W.E

The Director General of Industries and Supplies,
Government of India,
New Delhi. (with encls)

Sir,

Sub: Suits - O.S./3 of 1948 on the file of the
Sub-Judge, South Kanara - Defence - Cos

Ref: Correspondence resting with Sri J.
Prasad's Lr.No.TM/Misc/Recovery dated
8.12.1950-

Paying ①

I am directed to enclose to state that

South Kanara

the Government Pleader. Mangalore who appeared for the

Government in O.S.^{Nº}/3 of 1948 on the file of the Sub-Judge

South Kanara, has incurred an expenditure of Rs. 108-13-6

in the conduct of the suit. The four court verification

certificates submitted by him are enclosed for reference

and return. I request that the sanction of the Govern-

ment of India may be obtained for incurring the above

expenditure and communicated to this Government at an

early date.

D.P.L.F

Q 3-9 CF

2
17.1.51
12.1.51
22

PA
22/1/51

Y.f.

4/1/51
✓

No. TM/Misc/Recovery
DIRECTORATE GENERAL OF SUPPLIES & DISPOSALS
TIMBER DIRECTORATE
NEW DELHI, the 28 February, 1951.

23948
CDS

To
The Secretary to the Govt. of Madras,
Development Department,
Fort St. George,
Madras.

Sub:- O.S.No. 3 of 1948 on the file of the Sub Judge Kanara
between M/s Kanara Timbers Ltd., and Central Govt.-
Payment of cost incurred by the Govt. Pleader South
Kanara.

Sir,

P. 13 above
With reference to your letter No. 3247 C.11/51-2 dated
8.2.51, I am directed to state that sanction of the Government
of India to the cost incurred in the conduct of the above suit
has already been accorded vide the late Ministry of I & S,
Government of India letter No.P-II-112(23)/48 dated 9.10.48.
In view of this, no further sanction of the Govt. of India to
the expenditure of Rs.97/13/6 incurred by the Govt. Pleader
South Kanara in the conduct of the above suit appears to be
necessary.

I am therefore, to return these bills for Rs.97/13/6 for
initial payment by the Government of Madras after necessary
scrutiny and subsequently debiting the amount to the Govt. of
India as laid down in the late Ministry of Industry & Supply
letter No. P-II-112(23)/48 dated 8.1.49.

Yours faithfully,

A.R. Kapur

(A.R. Kapur)

Director Administration & Co-ordination.
for Director General Supplies & Disposals.

cl:- 4 Bills.

Copy forwarded to:-

The Deputy Accountant General (I & S), Akbar
Road, New Delhi for information with reference to
the late Ministry of Industry and Supply letter No.
P-II-112(23)/48 dated 9.10.48.

(20/16/51) 8/21/53

Dear Dettl

33

me
15/2/51

Memorandum No 3247 (11) St-6 of 15.7.51

Sub suits- O.S. No. 3 of 1948 on the file of the sub-judge, South Kanara.
Defence - Costs - sanctioned

Read: From the Govt Pleader, - Ret No 1860/50 of 21.51

114

K P 2 N 7

Sanction is accorded to the payment of a sum of Rs 97-13-6 (Rupees ninety-seven, annas thirteen and pias six only) to the Govt Pleader, South Kanara, in connection with the defence of O.S. No 3 of 1948 on the file of the Sub-judge, South Kanara.

2. The expenditure is debitable to the Head "Central".

2. The expenditure on account of the sanction in para 1 above will be incurred initially from the Provincial Funds under 27b. Administration of Justice - Law Officers - C

To J. A. C. 15/2/51
W. A. 2/13
B. A. 6
The Govt Pleader
Daugalve
Copy to the
CCJ
G. Director General
Industries & Supplies
Govt India
New Delhi (W. A.)
28-2-51
b/dcl

Govt Pleaders list and then decided to the
Govt of India

2
14/3/54 km
14351

14351

Ref. No **732/191**

35 \$
OFFICE OF THE GOVERNMENT PLEADER,
SOUTH KANARA.

From:

Mangalore **24th May** 1951.

SRI K. S. HEGDE, M.A., B.L.
GOVERNMENT PLEADER OF S.K.

60103

To

**The Directorate General of
Supplies & Disposals,
Co-ordination Supplies Section IB.
NEW DELHI.**

80 MAY 1951

S I R,

Ref: Your letter dated 9th May 1951 in response to my letter dated 25-4-1951 to the Accountant General, Madras copy of which had been sent over to you.

Subject:- O.S.No.8 of 1948 on the file of the Subordinate Judge of South Kanara, Mangalore - Defence costs.

The suit in question was a suit instituted by the Kanara Timbers Ltd., Mangalore against the Union of India for recovery of certain monies said to be due to the Company. The suit has been dismissed with costs. I had to incur certain expenses in connection with the defence of the suit. In respect of a portion of the expenses that were incurred I sent a Bill supported by Verification Certificates as per my reference No.1560/1950 dated 2-1-1951. In respect of the said Bill you were pleased to direct the Government of Madras (Development Department) as per your letter No.T.M.(Misc) recovery dated 28-2-1951, ^{to pay the same at the first instance} In accordance with your letter the Government of Madras (Development Department) ^{2254(B)} as per its Memorandum No.3247/C-II-51-4 dated 15-3-1951 accorded sanction for the payment of Rs.97-13-6 (Rupees Ninetyseven Annas Thirteen and Pies Six only) The expenditure on account of the sanction in para 1 was to be incurred initially from the Provincial Funds under "27B. Administration of Justice - Law Officers - C. Allowances and Honoraria - Honoraria (Fees to Government Pleaders - Voted" and then debited to the Government of India. In spite of the sanction in question the amount in

3349(B)

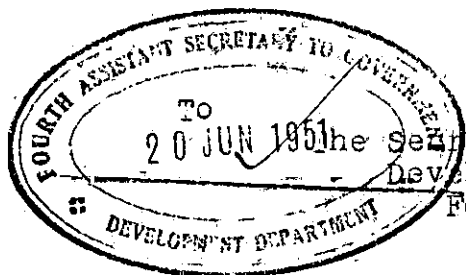
question had not been paid to me. It was not stated in the Memorandum as to who exactly is to make the payment. I received a Memorandum from the Accountant General, Madras as per his No.To.Just.1946 dated 17-4-1951 asking me to state whether the amount sanctioned in the above Government Memorandum has been drawn and if so an intimation may be sent to his Office through the Treasury Office for favour of pointing out the debit in the accounts. To this letter I wrote as per my reference No.665/1951 dated 25-4-1951 intimating that no amount has been drawn by me as per the Memorandum in question. A copy of the Memorandum had been sent over to you. The letter was addressed to the Accountant General, Madras and a copy sent over to you. I have not received the payment upto date. Early arrangements may be made for the payment of the same.

W. S. S. S.
W. S. S. S.
 GOVERNMENT PLEADER OF S.K.

- Copy to:- (1) The Accountant General, Madras. With reference to his letter dated 19-5-1951 No.To.Just.2010. His attention is invited to my letter No.665/1951 dated 25-4-1951.
- (2) The Collector of South Kanara, Mangalore.
 (3) The Secretary, Development Department, Madras.
 (4) The Chief Conservator of Forests, Madras.

To A.S.
Dev CH
 H 1-2 above may be perused. A copy of it has gone to C.E.F. also. No action seems necessary. Maybe added to G.O. 611 Ser. D, 8-2-53 at (B).
P.S. 16/51
26/5
G. 6/5

No. TM/Lisc./Recovery.
Directorate General of Supplies & Disposals.
Timber Directorate.
New Delhi, the 18th June 1951.



The Secretary to the Govt. of Madras
Development Department,
Fort St. George
MADRAS.

68618

Sub:-O.S. No. 3 of 1948 on the file of the Sub Judge Kanara,
between M/S Kanara Timbers Ltd., and Central Govt.
Payment of Cost incurred by the Govt. Pleader, South
Kanara.

Sir,

5-36 (K)

With reference to letter No. 737/1951, dated the 24th
May 1951, from Sri K.S. Hedge, Govt. Pleader of Southern Kanara
I am directed to state that arrangement for the payment of
Rs. 97/13/6, incurred by the Govt. Pleader, South Kanara, in
the conduct of the above suit, may initially be made by the
Government of Madras after necessary scrutiny and ~~subsequently~~
the amount may subsequently be debited to the Government of
India as laid down in the late Ministry of Industry & Supply
letter No. P-II-112(23)/48, dated the 8th January 1949.

79 (K)

Yours faithfully,

A.R. Kapur

(A.R. Kapur),
Director, Administration & Co-ordination
for Director General of Supplies & Disposals.

Copy to:-

Shri K.S. Hedge, M.A. B.L., Govt. Pleader of South
Kanara, Mangalore. He may please contact the Secretary to the
Government of Madras, Development Department, Fort St., George,
Madras who has been asked to arrange necessary payment.

Pl. 188
A

99

7/7

Dev cu ?

Memo. No. 68618 cu/ST-2 & 4 - 8-51

Sub: Suits - O.S. No. 3 of 1948 - on the file of the
Subjudge, South Kanara - Defence Costs -
Sanctioned - payment.

Ref: From the Directorate General of Supplies and
Disposals. Timber Directorate. No. T.M/Misc/
Recovery & 18.6.51.

A copy of the ref. cited ~~from~~ from the Directorate
General of Supplies and Disposals is communicated to
A.G. His attention in this connection, is invited to the
Govt. Memo. No. 3247 cu/ST-4 & 15.3.51 and he is
requested to state whether the payment of a sum
of Rs 97/13/6 sanctioned towards the defence costs
of the Govt. Pleader, South Kanara, has ^{since} been made to
him. If not, he is requested to take necessary
steps to effect payment at an early date.

PSS
2005/10
2005/10

G
17651

11/8
31.7.51

Durb (CII)

Remuneration 68618 CII/51-3 dt 31-7-51

Sub. - Suits - O.S. no. 39/1948 - on the file of the
Sub-judge, South Kanara - Defence
costs - Sanctioned - Payment.

Ref. Durb Remuneration 68618 CII/51-2 dt 4.7.51

The A.C. is requested to state when
his reply to the memo. is to be
expected.

31.7.51

8
20.7.51 302.12

2/11 12.5.
30.8 12.5.
RD. 25-8-57

Comptd
A.C.
21.8

No.T.6.Just.2157.

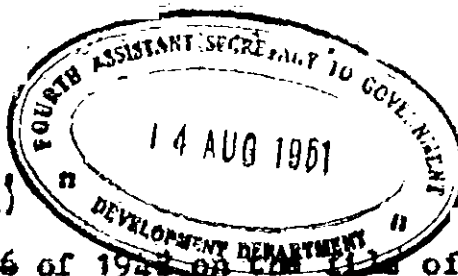
Office of the Accountant General
Madras. Dated 17 August, 1951.

From -

The Accountant General,
Madras.

To

The District Magistrate,
Mangalore (South Kanara)



89397
14.8.51

Sub: Suite - O.S.No.306 of 1942 on the bill of the sub judge
S.Kanara - Defence cost - sanctioned - authorisation -
issued.

3-34
(K)

Ref: Government memo No.3247.C.II/51-4 Dev.Department dated
15-3-1951.

Sir,

A copy of the Government memo mentioned above is enclosed for necessary action. Kindly arrange for the payment of the amount of Rs.97-13-6. (Rupees ninety seven/13/6) to the Government pleader by drawing the same from the treasury, Mangalore on a contingent bill duly supported by a certificate to the effect that the amount was not drawn previously.

Yours faithfully,

Assistant Accounts Officer

SV/11-8-51

Copy forwarded to the Secretary to the Government of
Madras, Development Department, with reference to their memo-
randum No. 68618/C.II.51-2 dated 4-7-51 for information.

1
p3 anti

N. Kuppusamy

Assistant Accounts Officer

SUB:- SUITE - Forest Dept. - Timber - Supply to Govt. of India - O.S. 3 of 1948 on the file of the Sub-Judge South Kanara - Defence ~~Case~~ ^{Mangalore}.

REF:- From the Govt. Pleader, ~~Mangalore~~ ^{Mangalore} Lr. No. 1560/50 dated 2.1.51
From the Govt. Pleader, ~~Mangalore~~ ^{Mangalore} Lr. No. 40 dated 9.1.50.

The letter from the Govt. Pleader, Mangalore, and its enclosures on pp.1-9 c.f. and the letter from the Govt. Pleader, Madras on p.11 c.f. may be perused.

2. The Kanara Timbers Ltd., Edipi, was started during the war period to exploit the timber resources of South Kanara Division and to supply timber for defence purposes to the Timber Directorate, ~~New Delhi~~ ^{of the Govt. of India}. The Forest Utilisation Officer, Madras, was appointed as the Timber Supply Officer for Madras, Cochin and Travancore and acted as procuring Agent for the Timber Directorate, ~~of the Govt. of India~~. In August 1948, the Kanara Timbers Ltd., filed a suit (O.S. 3 of 1948) in the Court of the Subordinate Judge of South Kanara for the recovery of a sum of Rs.28,827-14-3 as due from the Govt. of India towards timber supplied by the Company through the F.U.O. In that suit the Governor General in Council represented by the Secretary Central Govt., New Delhi and the F.U.O. Madras were arrayed as defendants. As the matter directly concerned the Govt. of India and as the F.U.O. impleaded as the second defendant was acting only as an agent on behalf of the Supply Dept. in the procurement of timber for defence purposes, the Govt. of India was requested to arrange for the defence of the suit and to bear the expenses. In October 1948, the Govt. of India conveyed their sanction to meet the cost incurred in the defence of the suit. The suit in the lower court was defended by the Govt. Pleader, Mangalore. After several adjournments, it was finally dismissed with costs on 27.10.49 by the Sub-Judge, South Kanara. The Kanara Timbers Ltd., have appealed to the High Court against the decision of the lower court in A.S. 448 of 1950. The Govt. of India and the F.U.O. have been impleaded as respondents and the appeal is being defended by the Govt.

NO 3247 CDS

9-9-48
4609
9-9-48

Shiqf (D)

F-4 (D)

A p f 4 (D)

to 5-6-51

)

Govt. Pleader ^{has} at the instance of the Govt. of India. The Govt. Pleader has now reported that the appeal is not yet ready for hearing and is pending. A ~~copy~~ C.B. entry has been made against 1.4.50 to watch the results of the appeal.

3. The Govt. Pleader, Mangalore who defended the Govt. in the trial Court submitted in February and March 1949 ^{court} cash verification certificates for Rs. 1-4-0 for sanction by the Govt. He was asked to submit a consolidated bill covering the entire court costs after the case was disposed of. Vide ~~Order~~ ^{Order} Memo. No. 19126 C II/49-2 dated 7.3.1949.) He has now submitted ⁴ court verification cash certificates for a total amount of Rs. 108-13-6 and has requested that the amount spent by him may be paid to him. As the Govt. of India are meeting the cost of the litigation ^{their sanction has to be obtained} for the payment now claimed by the Govt. Pleader, Mangalore. A draft letter is submitted for approval.

B p 15 NF 4 (1)

Op 147 CF 4 (C) -
Memo 19126 C II/49-2

573 CF
A p 10 CF 4 A 17.

✓ B 3 CF 4 (C)

3-9-5

D p 1 CF

Copy

Bill in p 9 CF - should not the sum of

11.9/51
11.11/51

Rs. 11/- shown as received & refund of cash in item 4
be deducted from the total amount of the bill. Verify.

11/11/51

Query above

In the verification certificate on p. 10 of issued by the court, the amount of Rs 11-0-0 has been shown as an item of credit and the amount due to the Govt. Pleader has been mentioned as 92-10-6. (Rs 103-10-6 - Rs 11-0-0). The total

A p 10 CF

amount actually due to the Govt. Pleader therefore comes to Rs 92-13-6. That figure has been indicated in the draft letter below. Hence, legal & Fin. magister

22/11/51
22/11/51

23/11/51



for

Home (ctb. III) Dept.

The note of Dev. Dept on pp. 1-2 ante may be perused. The draft letter may be accepted subject to the slight alterations indicated in it, and this case passed on to Legal



27/1/51
28/1/51

29/1/51

Legal

Legal Dept

See in Legal

memo. 14758 c614/51-1
29/1/51

1/2/51

Fin (Dev)

The draft letter to India may be perused and the Co. addressed to Dev

325/

14166

Dev

Don't withhold

Notes of Home, Legal and Finance above may be perused. The amendment suggested by Home has been carried out in the draft letter below which may now issue

The draft letter below may now issue

7/1/51 5/8/51



(Issued as L.No. 3247 CA-51-298-2-51)
(From the Gov of India L.No. T/404/Rev of 28.2.51)

The letter from the Director General of Industries and Supplies on p. 15 of may be perused. In the circumstances stated at D on p. 15 of, sanction may be accorded to the payment of a sum of Rs 97-13-6 to the Gov Pleader, South Kanara. It draft.

memo is submitted for approval: Finance
may see before issue

2/1/51 Kil
6/3/51

8.30

Yi

Recd 20 3247-0051
8/3/51

Finance (Per,

(Previous note overleaf)

The reference on p. 15 CF from
the Directorate general of supplies and
disposals (Timber Directorate) may
be perused.

one draft memo below
may be accepted. subject to the

following remark that para 2 of

~~the~~ ~~para 2~~ of the draft, may be modified on the lines
para 2 of G.O. MS 611 Ser D 8.2.49 — p. 14 of (1)
~~may be substituted.~~

HR MNV
0.3.51 10.351

For
1/3/51

Def

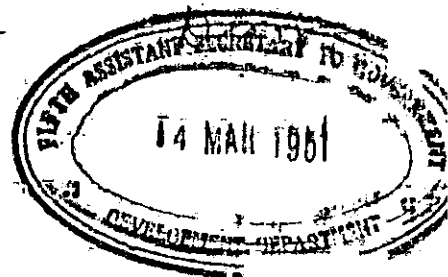
28957

Dist. Dept.

For. note above may be perused.
Para 2 of the draft below has been
suitably amended. It may now issue

2/1/51 Kil
14/3/51

15.00



(Issued Memo No. 3247-0051-40 15.3.51)

Per. 18271 per. 1.



Cur. 68618 C4/51

p1 cf

p1 cf

p1 cf

H-1-2 ... 7 (K)
p 33 cf of (K)

33 cf of (K)

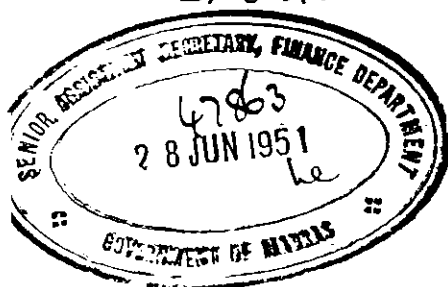
H-35-36 cf of (K)

p 33 cf

p 33 cf of (K)

Dev. No. 68618 C4/51

27.6.51.



Sub: Suits - O.S. No 3 of 1948 - on the file
of the Sub-Judge, South Kanara -
Defence - Costs - Sanctioned

Ref From the Directorate General of Supplies
and Disposals. Timber Directorate. No.
T.M/Misc./Recmery 8, 18.6.51.

The reference from the Directorate
General of Supplies and Disposals on p1 cf may
be perused.

It is stated that arrangements
may be made by this Govt. towards the
payment of a sum of Rs 97/13/6 ^{being} the defence
costs of the Govt. Pleader, South Kanara at the
first instance and then the expenditure may
be debited to Govt. of India. In this connection
attention is invited to the H-1-2 NF of (K) and
p. 33 cf of (K). The sanction of the defence costs
incurred by the Govt. Pleader, in the Suit^{OS} No
3 of 1948 was already sanctioned by this
Govt. in their Memo. No. 3247 C4/51-4 D 15.3.51
on p 33 cf of (K).

In his letter at H-35-36 cf of (K) the
Govt. Pleader has stated that payment was
not made to him so far in spite of the Govt.
Memo at p 33 cf by which his fees was sanctioned.
For orders whether A.G.'s attention may be
invited to the Memo. No. 3247 C4/51-4 D 15.3.51
at H-33 cf of (K) with a request to make the
payment to the Govt. Pleader at an early date
subject to orders, a draft O.M. to A.G. is submitted for approval.
Finance may see. ~~for advice to the Govt.~~

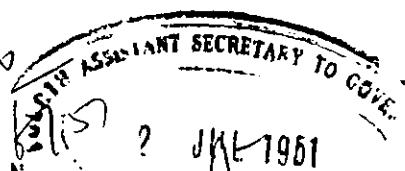
SS
23/6/51. WJ
26/6/51

27/6/51

Finance (1)

May be perused and returned

To



to Devt.

DR
29.6.51
WJ

H.S.

Fin. have perused the notes of this dept.
- pl above & the draft below. For orders
whether the ^{now} draft memo below. & A.G.
may issue

S.
1/57

Issued as Memo No 68618 CII/51-2 dt 4.7.

= the Memo No. 68618 CII/51-3 dt 31.7.5

From the A.G. No. 7.6. Just. 2157 dt 11-8-51

p3 CF

p4 CF

p5 CF

S.

With reference to the memo on p3 CF the
reply from A.G. on p5 CF may be perused.
~~It will be seen from A.G.'s letter that before~~
~~A.G. has~~
authorized the C.A.D.M. of South Kanara to
manage for the payment of the amount of
Rs 97-13-6 to the Govt. Pleader in respect of
defence cost in O.S. No. 396 of 1948 on the file of
the Sub-Judge, South Kanara. There is no
further action in this file. This may be lodged
added to the papers at (K). For orders.

i KJ
14857

VB
14857